

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Special Agent Ella Richmond, being first duly sworn, hereby depose and state as follows:

**Introduction and Agent Background**

Your affiant, Special Agent (SA) Ella Richmond, is a Criminal Investigator with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and is currently assigned to the Clarksburg Field Office. She has been employed by the ATF for approximately sixteen and a half years. In addition to being a SA your affiant is also a Certified Explosives Specialist (CES) and has been for approximately ten and a half years as well as serving on the ATF National Response Team (NRT) for approximately eight and a half years. Additionally, your affiant holds a Bachelor of Arts degree from Fairmont State University and a Master of Arts degree from West Virginia University. Your affiant has received over 1,000 hours of law enforcement training at the Federal Law Enforcement Training Center and the ATF National Academy. Your affiant has received extensive training, both formal and on-the-job, in the provisions of the Federal Firearms Laws administered under Title 18 and Title 26, U.S. Code, and Federal Narcotics Laws administered under Title 21, U.S. Code. As an ATF SA/CES, your affiant participated as either the case agent or as an assisting investigator in multiple investigations involving the illegal use, sale, possession, or purchase of firearms and or drugs.

**Probable Cause Supporting the Criminal Complaint**

1. The information contained in this affidavit is based upon the information I have gained from my investigation, my experience and my training, and/or information relayed to me by other law enforcement agents and/or their experience and training. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth the facts that I believe are necessary to establish probable cause.
2. Your Affiant is currently investigating the following individual: William John CLARK (W/M, DOB: 03/08/1958, SSN: 213-70-1069), a convicted felon.
3. On March 9, 2020, Upshur County Sheriff's Department (UCSD) Deputy (Dep) Tyler Gordon responded to the residence of Betty Collins and Steven Williams, located at 2239 Selbyville Road, Rock Cave, WV 26234. The call was regarding a 911 call reporting shots fired and the suspect was William John CLARK who was driving a green Ford extended cab truck, with a silver bed. CLARK was known by Williams and CLARK had come to Collin's residence and was attempting to get Williams outside to engage him in a physical altercation. When Williams would not come outside, CLARK said something to the effect of, "I have something for you." CLARK then left Collin's yard. A short time later is when Collins and Williams heard an explosion outside.
4. Dep Gordon advised SA Richmond that when in route to the Collins' residence, he passed the suspect vehicle coming from the direction of Collins' residence. Dep Gordon proceeded

to Collins' residence. UCSD Dep Joseph Daniel Barcus conducted a traffic stop of CLARK as he pulled into his driveway (870 Abbott Road, Buckhannon, WV) prior to entering his gate.

5. Once on the scene, Dep Gordon discovered it was a suspected destructive device (DD) that detonated at the Collins residence and was not a shot from a firearm. Dep Gordon collected metal pipe pieces from the DD and once clear of the scene, assisted Dep Barcus at the traffic stop. Prior to Dep Gordon's arrival at the traffic stop location, Dep Barcus had conducted and was still conducting a probable cause search of CLARK's vehicle. The search revealed parts and components to manufacture two additional DDs. These components were 1 bag containing 2 aerial shell fireworks with wicks and yellowish powder, 1 bag containing suspected pyrotechnic powder and round pyrotechnic stars, 2 metal pipe nipples and 4 metal pipe end caps. This incident took place in Upshur County, in the Northern District of West Virginia.
6. On March 10, 2020, SA Richmond, and Dep Gordon went to Collins' residence and obtained a consent to search the area of the blast seat. SA Richmond retrieved two additional pieces of suspected metal end caps and suspected round pyrotechnic stars from the blast seat.
7. After review of the device components/evidence, consultation with ATF Explosives Enforcement Officer (EEO) Phillip Whitley and pending final laboratory analysis the devices in question will be constituted as destructive device(s) as defined by Title 26 United States Code, Chapter 53, Section 5845(f).
8. On March 10, 2020, SA Richmond applied for and secured a Federal search warrant for CLARK's residence. During the search of CLARK's residence he was found to be in possession of a (Smith & Wesson semi-automatic pistol, Model: 22A-1, .22LR caliber, serial number: UCR0383) which was manufactured outside the State of West Virginia, therefore traveling in and effecting interstate commerce. This firearm also meets the Federal definition of a firearm as defined in Title 18 United States Code, Chapter 44, Section 921(a)(3). This is in violation of Title 18 United States Code, Chapter 44, Section 922(g)(1) – possession of a firearm by a convicted felon.
9. During a post Miranda interview of CLARK he confessed to making and detonating a DD at Collin's residence on Monday (March 9, 2020). This is in violation of Title 26 United States Code, Chapter 53, Section 5861(f) – making a National Firearms Act (NFA) firearm in violation of the law.
10. SA Richmond caused a query to be conducted of the National Firearms Registration and Transfer Record (NFRTR) to determine if CLARK had a DD properly registered under his name. The query returned negative results.

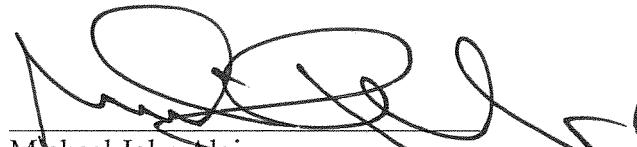
11. SA Richmond conducted a NCIC query regarding CLARK, indicating CLARK to be a convicted felon. In 2005, CLARK was arrested and later convicted for being a Felon in Possession of a Firearm in the United States District Court, Northern District of West Virginia. The United States District Court sentenced CLARK to 77 months incarceration. In 2003, CLARK was arrested and later convicted of 2<sup>nd</sup> Degree Assault in Baltimore, MD. In 2000, CLARK was arrested and later convicted of Grand Larceny in Winchester, VA. In 1981 CLARK was arrested and later convicted of Robbery in Baltimore, MD.
12. These events occurred in the Northern District of West Virginia.

**Oath**

The information in this affidavit is true to the best of my knowledge and belief.

Ella Richmond  
Ella Richmond  
Special Agent,  
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to and Subscribed before me on March 11, 2020.

  
Michael John Alei  
United States Magistrate Judge  
Northern District of West Virginia